

REMARKS

To cure the indefinite claiming rejection made by the examiner, the applicants amend claim 1 to make implied meaning of previous words explicit. This amendment replaces the clause "positioning at least one item of conducting material electrically connected to each other" with the clause "positioning one item of conducting material or a plurality of such items electrically connected to each other." This is not believed to require additional support.

With regard to the anticipation rejection of claim 1 by U.S. Patent No. 6,477,113, the applicants further amend claim 1 to clarify that a single, straight wire electrode such as 142 or 143 in Fig. 7 of the '113 patent is not within the scope of the claim. (Support for this amendment is Fig. 5 and the discussion of it in paragraph 24: "a [single] buried wire 51 is laid out in the form of a closed curve or a polygon . . . to define a closed volume of earth where the electric field will be minimized relative to the electric field at depth.") If the examiner's intent in pointing to Fig. 7 of the '113 patent is to contend that the positive wire electrode 143 and the negative wire electrode 142 together comprise two items of conducting material electrically connected to each other, this interpretation of Fig. 7 cannot stand. Although the drawing may appear to show the two electrode lead wires touching, the examiner will know that this is artistic license and cannot be intended by patent '113 because that would short out the power source 141. The two electrodes are connected to the two terminals of the power source, which are electrically distinct from each other; otherwise, it would be impossible to generate a signal.

The combined amendments to claim 1 are as follows (the claim preamble is unchanged and not shown):

positioning ~~at least~~ one item of conducting material ~~or a plurality of~~
~~such items~~ electrically connected to each other to substantially minimize near-
~~surface electric fields in a region between or defined by the ~~at least one item or~~~~
~~items of conducting material, wherein in the case of a single item of~~
~~conducting material the item is configured to define a region, thereby~~
providing an area of low surface noise for survey receiver placement.

Claim 1 is the only independent claim. All other pending claims depend from claim 1, and are therefore allowable if claim 1 is allowable.

Regarding dependent claim 8, the applicants believe it is patentable as depending from a patentable independent claim, but also amend claim 8 herein to distinguish the feature therein from that of col. 9 line 52 of the '113 patent, which merely describes placing receivers near the electrodes. Claim 8 is amended to limit it back to as it was originally presented, which is addressing the embodiment that deploys at least one electrode of one polarity with two (or more) electrodes of the opposite polarity and locates the receivers central to the two or more opposite polarity electrodes. All field layouts having a single positive electrode and a single negative electrode are clearly excluded. The feature defined in the current amendment of claim 8 is not believed to be disclosed in patent '113.

CONCLUSION


The applicants believe that all rejections are addressed by the amendments made herein. Each of the claims is limited to the applicants' inventive method for reducing near surface noise in electroseismic surveying by application of the Faraday cage shielding effect to provide a low-noise location for detector placement. Each of these claims is believed to be patentably distinct from all known prior art, including all art cited by the examiner. Therefore the applicants request allowance of all pending claims.

Furthermore, if the examiner agrees that claim 1 is allowable, the applicants request that withdrawn claims 10-13, 15-17 and 25 be reinstated. Claim 1 was found not to be generic to all inventions claimed in the original set of claims. However, the applicants believe that with respect to the above enumerated eight claims, claim 1 is generic. Amendments subsequently made to claims 1 and 8 have necessitated amendments herein to claims 11 and 25 to correct antecedent basis problems, for which claims the applicants use the status identifier (*withdrawn, but currently amended*) in the attached listing of the claims.


The Commissioner is authorized to charge any additional fees which may be required, to Account No. 05-1328.

Respectfully submitted,

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